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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MATRIX ESSENTIALS,

Plaintiff,

-against-

QUALITY KING DISTRIBUTORS, INC.,
BERNARD NUSSDORF, GLEN
NUSSDORF, and STEPHEN NUSSDORF,

Defendants.
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MEMORANDUM AND ORDER

CV 90-1070

(Wexler, J.)

APPEARANCES:

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WEXLER, District Judge

At the trial of this action this court requested that Plaintiffs conduct a search for documents relevant to the issue of the state of the so-called "diversion" market at or around May

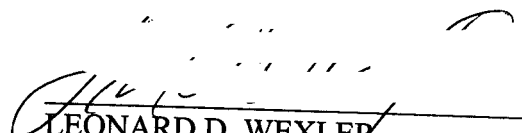
24, 1990, the date of entry of a consent judgment in this matter.

Plaintiff has searched archived files and produced documents. Plaintiff has also identified a witness, Patti Urban, to be deposed on this issue.

The parties have submitted letters detailing a dispute as to the extent of Plaintiff's obligations. The court has reviewed the parties' submissions and enters the following order:

- Plaintiff is obligated to produce only those documents for the time period 1989 - 1991.
- Plaintiff is directed to prepare a log of responsive documents (for the time period of 1989-1991) in Plaintiff's possession that are covered by protective orders. The log shall identify the date of the document, the author, the subject matter and a brief description of the document.
- As to those documents admitted to be responsive to this court's request that are covered by protective orders, Plaintiff is directed to apply to the appropriate court to either lift the protective order or seek modification of the order to allow viewing of the documents by defense and non-party respondents counsel.
- Plaintiff is directed to identify all cases, to date, (not only those between 1989 and 1991) in which Patti Urban has testified. Plaintiff is directed to produce all of Ms. Urban's deposition and trial testimony in those cases, in their possession.
- The parties are granted an additional three months in which to complete this discovery. At the conclusion of this discovery, the court will schedule a date to conclude this trial.

SO ORDERED.


LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
March 8, 2007